



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB1612

Introduced 1/28/2025, by Rep. Kam Buckner

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Illinois Appliance Standards Act. Directs the Illinois Environmental Protection Agency to adopt minimum efficiency standards for covered products. Provides for testing, certification, and labeling of covered products. Contains provisions concerning enforcement of the Act's requirements. Provides for administrative rulemaking by the Agency. Makes findings. Defines terms.

LRB104 08810 BDA 18865 b

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Illinois Appliance Standards Act.

6 Section 5. Findings. The General Assembly finds that:

7 (1) Efficiency standards for certain products sold or  
8 installed in the State assure consumers and businesses  
9 that the products meet minimum efficiency performance  
10 levels, thus reducing energy and water waste and saving  
11 consumers and businesses money on utility bills.

12 (2) Efficiency standards save energy and reduce  
13 climate-changing emissions and other environmental impacts  
14 associated with the production, distribution, and use of  
15 electricity, natural gas, and related fuels.

16 (3) Efficiency standards also save water, mitigating  
17 the effects of short-term and long-term droughts and  
18 helping to conserve fresh water supplies.

19 (4) Utility savings resulting from more efficient  
20 products benefit all consumers but are especially  
21 important to low-income families, who spend a  
22 disproportionate share of their income on utilities.  
23 Efficiency standards also help the State and local

1 economies because bill savings can be spent on local goods  
2 and services.

3 (5) Energy and water savings help reduce or delay the  
4 need for expensive investments in new power plants,  
5 transmission lines, and distribution system upgrades, new  
6 and expanded gas pipelines, and water and sewer  
7 infrastructure improvements.

8 Section 10. Definitions. In this Act:

9 "Agency" means the Environmental Protection Agency .

10 "Automatic landscape irrigation controller" means a device  
11 used to remotely control valves that operate a landscape  
12 irrigation system. "Automatic landscape irrigation controller"  
13 includes, but is not limited to, a weather-based irrigation  
14 controller, a soil moisture-based irrigation controller, and a  
15 timer-based irrigation controller, whether configured as a  
16 standalone controller, a base controller, an add-on device, or  
17 a plug-in device. "Automatic landscape irrigation controller"  
18 does not include an irrigation control device designed for  
19 attachment to a hose bib or a hose end or an irrigation control  
20 device designed and marketed for agricultural purposes.

21 "Battery backup" or "uninterruptible power supply charger"  
22 or "UPS" means a small battery charger system that is voltage  
23 and frequency dependent and designed to provide power to an  
24 end-use product in the event of a power outage. "Battery  
25 backup" or "uninterruptible power supply charger" or "UPS"

1 includes a UPS as defined in IEC 62040-3 (2nd edition).  
2 "Battery backup" or "uninterruptible power supply charger" or  
3 "UPS" includes a voltage and frequency dependent UPS in which  
4 the output is dependent on changes in AC input voltage and  
5 frequency and is not intended to provide additional corrective  
6 functions, such as those relating to the use of tapped  
7 transformers.

8 "Cold-only unit" means a water cooler that dispenses cold  
9 water only.

10 "Commercial clothes dryer" means a cabinet-like appliance  
11 designed to dry fabrics in a tumble-type drum with forced air  
12 circulation that is not distributed in commerce for personal  
13 use or consumption by individuals.

14 "Commercial clothes washer" means a soft-mount  
15 front-loading or soft-mount top-loading clothes washer that:

16 (1) has a clothes container compartment that:

17 (A) for horizontal-axis clothes washers, is  
18 greater than 3.5 cubic feet; and

19 (B) for vertical-axis clothes washers, is greater  
20 than 4.0 cubic feet; and

21 (2) is designed for use in:

22 (A) applications in which the occupants of more  
23 than one household will be using the clothes washer,  
24 such as multifamily housing common areas and coin  
25 laundries; or

26 (B) other commercial applications.

1 "Commercial dishwasher" means a machine designed to clean  
2 and sanitize plates, pots, pans, glasses, cups, bowls,  
3 utensils, and trays by applying sprays of detergent solution,  
4 with or without blasting media granules, and a sanitizing  
5 rinse.

6 "Commercial fryer" means an appliance, including a cooking  
7 vessel, in which oil is placed to such a depth that the cooking  
8 food is essentially supported by displacement of the cooking  
9 fluid rather than by the bottom of the vessel, and in which  
10 heat is delivered to the cooking fluid by means of an immersed  
11 electric element or band-wrapped vessel, such as in the case  
12 of electric fryers, or by heat transfer from gas burners  
13 through either the walls of the fryer or through tubes passing  
14 through the cooking fluid, such as in the case of gas fryers.

15 "Commercial hot food holding cabinet" means a heated,  
16 fully enclosed compartment with one or more solid or  
17 transparent doors designed to maintain the temperature of hot  
18 food that has been cooked using a separate appliance.

19 "Commercial hot food holding cabinet" does not include heated  
20 glass merchandising cabinets, drawer warmers, or cook-and-hold  
21 appliances.

22 "Commercial oven" means a chamber designed for heating,  
23 roasting, or baking food by conduction, convection, radiation,  
24 or electromagnetic energy, or a combination of conduction,  
25 convention, radiation, or electromagnetic energy.

26 "Commercial steam cooker" or "compartment steamer" means a

1 device with one or more food-steaming compartments in which  
2 the energy in the steam is transferred to the food by direct  
3 contact. "Commercial steam cooker" or "compartment steamer"  
4 includes, but is not limited to, a countertop model, a  
5 wall-mounted model, and a floor model mounted on a stand,  
6 pedestal, or cabinet-style base.

7 "Compensation" means money or any other valuable thing,  
8 regardless of form, received or to be received by a person for  
9 services rendered.

10 "Computer" means a device that performs logical operations  
11 and processes data, with or without input devices and  
12 displays. "Computer" includes both stationary and portable  
13 units, as well as a desktop computer, a portable all-in-one, a  
14 notebook computer, a mobile gaming system, a high  
15 expandability computer, a small-scale server, a thin client,  
16 and a workstation. "Computer" includes, at a minimum:

17 (1) a central processing unit (CPU) to perform  
18 operations or, if no CPU is present, then the device must  
19 function as a client gateway to a server and the server  
20 acts as a computational CPU;

21 (2) ability to support user input devices such as a  
22 keyboard, mouse, or touchpad; and

23 (3) an integrated display screen or the ability to  
24 support an external display screen to output information.

25 "Computer" does not include a tablet, a game console, a  
26 television, a small computer device, a server other than a

1 small-scale server, or an industrial computer.

2 "Computer monitor" means an analog or digital device of  
3 diagonal screen size greater than or equal to 17 inches and  
4 less than or equal to 61 inches, that has a pixel density of  
5 greater than 5000 pixels per square inch, that is designed  
6 primarily for the display of computer generated signals for  
7 viewing by one person in a desk-based environment, and that is  
8 composed of a display screen and associated electronics.

9 "Computer monitor" does not include:

10 (1) displays with integrated or replaceable batteries  
11 designed to support primary operation without AC mains or  
12 external DC power, (e.g., electronic readers, mobile  
13 phones, tablets, battery-powered digital picture frames);  
14 or

15 (2) a television or a signage display.

16 "Computer server" means a computer that provides services  
17 and manages networked resources for client devices, including,  
18 but not limited to, desktop computers, notebook computers,  
19 thin clients, wireless devices, personal digital assistants,  
20 Internet protocol telephones, other computer servers, or other  
21 network devices.

22 "Computer server power supply unit" means a device that  
23 converts AC or DC input power to one or more DC power outputs  
24 for the purpose of powering a computer server and that is  
25 self-contained, physically separable from the motherboard and  
26 that connects to the system via a removable or hard-wired

1 electrical connection.

2 "Cook-and-cold unit" means a water cooler that dispenses  
3 both cold and room temperature water.

4 "Covered product" means:

- 5 (1) an automatic landscape irrigation controller;
- 6 (2) a commercial dishwasher;
- 7 (3) a commercial fryer;
- 8 (4) a commercial hot food holding cabinet;
- 9 (5) a commercial oven;
- 10 (6) a commercial steam cooker;
- 11 (7) a computer or computer monitor;
- 12 (8) a computer server power supply unit;
- 13 (9) an electric vehicle supply equipment;
- 14 (10) a faucet;
- 15 (11) an electric heat pump water heater;
- 16 (12) a gas fireplace;
- 17 (13) a portable electric spa;
- 18 (14) a residential ventilating fan;
- 19 (15) a showerhead;
- 20 (16) a spray sprinkler body;
- 21 (17) a State-regulated battery charger system;
- 22 (18) a urinal;
- 23 (19) a water closet;
- 24 (20) a water cooler; or
- 25 (21) any other product designated by the Director in  
26 accordance with Section 15.



1 "Decorative gas fireplace" means a vented fireplace,  
2 including appliances that are freestanding, recessed, zero  
3 clearance, log set, or a gas fireplace insert, that is fueled  
4 by natural gas or propane, is marked for decorative use only,  
5 and is not equipped with a thermostat or intended for use as a  
6 heater.

7 "Director" means the Director of the Environmental  
8 Protection Agency.

9 "Electric heat pump water heater" means an electric  
10 storage water heater with a maximum current rating of 24 amps  
11 at a voltage not greater than 250 volts that are designed to  
12 transfer thermal energy from one temperature level to a higher  
13 temperature level for the purpose of heating water, including  
14 all ancillary equipment such as fans, storage tanks, pumps or  
15 controls necessary for the device to perform.

16 "Electric resistance storage water heater" means a water  
17 heater that uses electricity as the energy source, has a  
18 nameplate input rating of 12 kW or less, and contains more than  
19 one gallon of water per 4000 Btu per hour of input.

20 "Electric storage water heater" means either an electric  
21 resistance storage water heater or an electric heat pump water  
22 heater.

23 "Electric vehicle supply equipment" means the conductors,  
24 including the ungrounded, grounded, and equipment grounding  
25 conductors, the electric vehicle connectors, attachment plugs,  
26 and all other fittings, devices, power outlets, or apparatuses

1 installed specifically for the purpose of delivering energy  
2 from the premises wiring to the electric vehicle. Excludes  
3 conductors, connectors, and fittings that are part of a  
4 vehicle.

5 "Faucet" means a private lavatory faucet, residential  
6 kitchen faucet, metering faucet, public lavatory faucet, or  
7 replacement aerator for a private lavatory, public lavatory or  
8 residential kitchen faucet.

9 "Gas fireplace" means a decorative gas fireplace or a  
10 heating gas fireplace.

11 "Federally exempt commercial laundry equipment" means  
12 commercial clothes dryers and commercial clothes washers  
13 outside the scope of 42 U.S.C. 6311(21).

14 "Flexible demand appliance standard" means a requirement  
15 for a covered product to have the capability to schedule,  
16 shift, or curtail the electrical demand of a load-serving  
17 entity's customer through direct action by the customer or  
18 through action by a third party, the load-serving entity, or a  
19 grid balancing authority, with the customer's consent.

20 "Hand-held showerhead" means a showerhead that can be held  
21 or fixed in place for the purpose of spraying water onto a  
22 bather and that is connected to a flexible hose.

23 "Heating gas fireplace" means a vented fireplace,  
24 including appliances that are freestanding, recessed, zero  
25 clearance, or a gas fireplace insert, that is fueled by  
26 natural gas or propane and is not a decorative fireplace.

1 "Hot-and-cold unit" means a water cooler that dispenses  
2 both hot and cold water. "Hot-and-cold unit" includes a water  
3 cooler that dispenses room temperature water in addition to  
4 hot and cold water.

5 "Large battery charger system" means a State-regulated  
6 battery charger system (other than a battery charger system  
7 for golf carts) with a rated input power of more than 2  
8 kilowatts.

9 "Metering faucet" means a self-closing faucet that  
10 dispenses a specific volume of water for each actuation cycle  
11 and in which the volume or cycle duration can be fixed or  
12 adjustable.

13 "On-demand, hot-and-cold unit" means a water cooler that  
14 heats and cools water as it is requested.

15 "Person" means:

16 (1) any individual; or

17 (2) any corporation, company, association, firm,  
18 partnership, society, trust, joint venture, or joint-stock  
19 company.

20 "Plumbing fixture" means an exchangeable device that  
21 connects to a plumbing system to deliver and drain away water  
22 and waste.

23 "Portable electric spa" means a factory-built electric spa  
24 or hot tub that may or may not include integral controls, water  
25 heating equipment, or water circulating equipment, or any  
26 combination of these devices.

1 "Potentially covered product" means:

- 2 (1) electric resistance storage water heaters;  
3 (2) federally exempt commercial laundry equipment; or  
4 (3) replacement tires for passenger and light-duty  
5 vehicles.

6 "Pressure regulator" means a device that maintains  
7 constant operating pressure immediately downstream from the  
8 device, even with higher pressure upstream.

9 "Public lavatory faucet" means a fitting designed to be  
10 installed in nonresidential bathrooms that are exposed to  
11 walk-in traffic.

12 "Replacement aerator" means an aerator sold as a  
13 replacement and separate from the faucet to which it is  
14 intended to be attached.

15 "Replacement tire" means a tire designed to replace a tire  
16 sold with a new passenger car or light-duty truck.  
17 "Replacement tire" does not include a retreaded tire or any of  
18 the following tires:

- 19 (1) a limited production tire;  
20 (2) a deep tread tire;  
21 (3) a winter-type snow tire;  
22 (4) a space-saver tire;  
23 (5) a temporary use spare tire;  
24 (6) a tire with a nominal rim diameter of 12 inches or  
25 less;  
26 (7) a motorcycle tire; or

1           (8) a tire manufactured specifically for use on an  
2 off-road motorized recreational vehicle.

3           "Residential ventilating fan" means a ceiling-mounted or  
4 wall-mounted fan, or remotely mounted in-line fan, designed to  
5 be used in a bathroom or utility room for the purpose of moving  
6 air from inside the building to the outdoors.

7           "Showerhead" means a component or set of components  
8 distributed in commerce for attachment to a single supply  
9 fitting and for spraying water onto a bather, typically from  
10 an overhead position, excluding safety shower showerheads.

11           "Spray sprinkler body" means the exterior case or shell of  
12 a sprinkler incorporating a means of connection to the piping  
13 system designed to convey water to a nozzle or orifice.

14           "State-regulated battery charger system" means a battery  
15 charger coupled with its batteries or battery chargers and  
16 their batteries. "State-regulated battery charger system"  
17 includes, but is not limited to: (1) rechargeable batteries or  
18 devices incorporating a rechargeable battery and the chargers  
19 used with them; (2) electronic devices with a battery that are  
20 normally charged from AC line voltage or DC input voltage  
21 through an internal or external power supply and a dedicated  
22 battery charger; (3) the battery and battery charger  
23 components of devices that are designed to run on battery  
24 power during part or all of their operations; (4) dedicated  
25 battery systems primarily designed for electrical or emergency  
26 backup; and (5) devices whose primary function is to charge

1 batteries, along with the batteries they are designed to  
2 charge, including chargers for power tool batteries and  
3 chargers for automotive, AA, AAA, C, D, or 9-volt rechargeable  
4 batteries, as well as chargers for batteries used in larger  
5 industrial motive equipment and a la carte chargers.

6 "State-regulated battery charger system" also includes a  
7 battery charger system in which the charging circuitry may or  
8 may not be located within the housing of the end-use device  
9 itself, as well as in which the battery may be charged with a  
10 dedicated external charger and separate power supply  
11 combination. "State-regulated battery charger system" does not  
12 include a federally regulated battery charger that is covered  
13 under standards in 10 CFR 430.32(z).

14 "Storage-type, hot-and-cold unit" means a water cooler  
15 that stores thermally conditioned water in a tank and makes  
16 that water available instantaneously. "Storage-type,  
17 hot-and-cold unit" includes any point-of-use cooler, any dry  
18 storage compartment cooler, or any bottled water cooler.

19 "Trough-type urinal" means a urinal designed for  
20 simultaneous use by 2 or more persons.

21 "Tub spout diverter" means a device that is designed to  
22 divert the flow of water into a bathtub so the water discharges  
23 through a showerhead.

24 "Urinal" means a plumbing fixture that receives only  
25 liquid body waste and conveys the waste through a trap into a  
26 drainage system.

1 "Water closet" means a plumbing fixture having a  
2 water-containing receptor that receives liquid and solid body  
3 waste through an exposed integral trap into a drainage system.

4 "Water cooler" means a freestanding device that consumes  
5 energy to cool and heat potable water.

6 Section 15. Minimum efficiency standards; administrative  
7 rulemaking.

8 (a) Not later December 31, 2025, the Agency shall adopt  
9 rules establishing flexible demand appliance standards for  
10 electric heat pump water heaters and minimum efficiency  
11 standards for all other covered products, except as provided  
12 in subsection (c). The Agency may not establish minimum  
13 efficiency standards, except for flexible demand appliance  
14 standards, for electric heat pump water heaters.

15 (b) Not later than one year after the effective date of  
16 this Act, the Agency shall adopt rules establishing minimum  
17 efficiency standards for the potentially covered products, or  
18 in the case of electric resistance storage water heaters,  
19 flexible demand appliance standards, except as provided in  
20 subsection (c). If the Agency chooses to not establish minimum  
21 standards for potentially covered products, they shall report  
22 such findings, along with justification, to the General  
23 Assembly. The Agency shall continue to assess potentially  
24 covered standards annually and report their determination to  
25 the General Assembly annually for 5 years after the effective

1 date of this Act or until the Agency adopts rules establishing  
2 minimum efficiency standards for a potentially covered  
3 product, whichever is sooner.

4 (c) The provisions of this Act do not apply to:

5 (1) new products manufactured in the State and sold  
6 outside the State;

7 (2) new products manufactured outside the State and  
8 sold at wholesale inside the State for final retail sale  
9 and installation outside the State;

10 (3) products installed in mobile manufactured homes at  
11 the time of construction; or

12 (4) products designed expressly for installation and  
13 use in recreational vehicles.

14 (d) The rules adopted by the Agency under subsection (a)  
15 shall provide for the following minimum efficiency standards:

16 (1) Automatic landscape irrigation controllers shall,  
17 at a minimum, meet the water efficiency and performance  
18 criteria included within the U.S. Environmental Protection  
19 Agency's Specification for Weather-Based Irrigation  
20 Controllers, Version 1.1, or its Specification for Soil  
21 Moisture-Based Irrigation Controllers, Version 1.0.

22 (2) Computers and computer monitors shall, at a  
23 minimum, meet requirements that are substantially  
24 equivalent to the standards authorized and adopted for  
25 computers and computer monitors in California under  
26 Sections 25213, 25218(e), 25216.5(d), 25401.9, 25402(a)



1 through 25402(c), and 25960, of the California Public  
2 Resources Code, and compliance with those requirements  
3 shall, at a minimum, be as measured in accordance with  
4 test methods that are substantially equivalent to the  
5 rules adopted pursuant to those authorities. In addition,  
6 the rules adopted by the Agency shall define "computer"  
7 and "computer monitor" to have the same meaning as under  
8 the California authorities cited in this paragraph (2),  
9 and the Agency shall have authority to amend the rules so  
10 that the definitions of "computer" and "computer monitor"  
11 and the minimum efficiency standards for computers and  
12 computer monitors conform to subsequently adopted  
13 modifications in rules authorized and adopted under  
14 relevant sections of the California Resources Code, or as  
15 authorized under this Act with the minimum standards  
16 stated in this paragraph (2).

17 (3) Electric vehicle supply equipment included in the  
18 scope of the ENERGY STAR Program Requirements Product  
19 Specification for Electric Vehicle Supply Equipment,  
20 Version 1.0, shall, at a minimum, meet the certification  
21 criteria of that specification.

22 (4) Faucets, except for metering faucets, shall, at a  
23 minimum, meet the standards shown in this paragraph when  
24 tested in accordance with 10 CFR Part 430, Subpart B,  
25 Appendix S, "Uniform Test Method for Measuring the Water  
26 Consumption of Faucets and Showerheads", and must comply

1 with the following requirements:

2 (A) Private lavatory faucets and replacement  
3 aerators shall not exceed a maximum flow rate of 1.5  
4 gallons per minute at 60 pounds per square inch.

5 (B) Residential kitchen faucets and replacement  
6 aerators shall not exceed a maximum flow rate of 1.8  
7 gallons per minute at 60 pounds per square inch, with  
8 optional temporary flow of 2.2 gallons per minute,  
9 provided they default to a maximum flow rate of 1.8  
10 gallons per minute at 60 pounds per square inch after  
11 each use.

12 (C) Public lavatory faucets and replacement  
13 aerators shall not exceed a maximum flow rate of 0.5  
14 gallons per minute at 60 pounds per square inch.

15 (5) Gas fireplaces shall, at a minimum, comply with  
16 the following requirements:

17 (A) Gas fireplaces shall be capable of  
18 automatically extinguishing any pilot flame when the  
19 main gas burner flame is extinguished.

20 (B) Gas fireplaces must prevent any ignition  
21 source for the main gas burner flame from operating  
22 continuously for more than 7 days from last use of the  
23 main burner.

24 (C) Decorative gas fireplaces must have a direct  
25 vent configuration or power vent configuration, unless  
26 marked for replacement use only.

1           (D) Heating gas fireplaces shall have a fireplace  
2           efficiency greater than or equal to 50% when tested in  
3           accordance with CSA P.4.1-15, "Testing Method for  
4           Measuring Fireplace Efficiency", as amended or  
5           revised.

6           (6) Large battery charger systems and battery backup  
7           or UPS systems shall, at a minimum, meet requirements that  
8           are substantially equivalent to the standards authorized  
9           and adopted for large battery charger systems and battery  
10          backup or UPS systems in California under Sections 25213,  
11          25216.5(d), 25218(e), 25401.9, 25402(a) through 25402(c),  
12          and 25960, of the California Public Resources Code, and  
13          compliance with those requirements shall, at a minimum, be  
14          measured in accordance with test methods that are  
15          substantially equivalent to those prescribed under the  
16          rules adopted pursuant to those authorities. In addition,  
17          the rules adopted by the Agency shall define "large  
18          battery charger system" and "battery backup or  
19          uninterruptible power supply charger (UPS)" to have the  
20          same meaning as under the California authorities cited in  
21          this paragraph (6), and the referenced rules in this  
22          paragraph (6) shall be those adopted on or before the  
23          effective date of this Act. However, the Director may  
24          amend the rules so that the definitions of  
25          "State-regulated battery charger system", "large battery  
26          charger system", and "battery backup or UPS" and the

1 minimum efficiency standards for a large battery charger  
2 system and a battery backup or UPS conform to subsequently  
3 adopted modifications in rules authorized and adopted  
4 under relevant sections of the California Resources Code,  
5 or as authorized under this Act with the minimum standards  
6 stated in this paragraph (6).

7 (7) Portable electric spas shall, at a minimum, meet  
8 the requirements of the "American National Standard for  
9 Portable Electric Spa Energy Efficiency" (ANSI/APSP/ICC  
10 14-2019).

11 (8) In-line residential ventilating fans shall, at a  
12 minimum, have a fan motor efficiency of no less than 2.8  
13 cubic feet per minute per watt. All other residential  
14 ventilating fans shall have a fan motor efficacy of no  
15 less than 1.4 cubic feet per minute per watt for airflows  
16 less than 90 cubic feet per minute and no less than 2.8  
17 cubic feet per minute per watt for other airflows when  
18 tested in accordance with Home Ventilation Institute  
19 Publication 916, "HVI Airflow Test Procedure".

20 (9) Showerheads shall, at a minimum, not exceed a  
21 maximum flow rate of 2.0 gallons per minute at 80 pounds  
22 per square inch when tested in accordance with 10 CFR Part  
23 430, Subpart B, Appendix S, "Uniform Test Method for  
24 Measuring the Water Consumption of Faucets and  
25 Showerheads".

26 (10) Spray sprinkler bodies that are not specifically

1 excluded from the scope of the U.S. Environmental  
2 Protection Agency's Specification for Spray Sprinkler  
3 Bodies, Version 1.0, shall, at a minimum, include an  
4 integral pressure regulator and shall, at a minimum, meet  
5 the water efficiency and performance criteria and other  
6 requirements of that specification.

7 (11) Urinals and water closets, other than those  
8 designed and marketed exclusively for use at prisons or  
9 mental health facilities, shall, at a minimum, meet the  
10 standards described in subparagraphs (A) to (C) when  
11 tested in accordance with 10 CFR Part 430, Subpart B,  
12 Appendix S, "Uniform Test Method for Measuring the Water  
13 Consumption of Water Closets and Urinals", and water  
14 closets shall, at a minimum, pass the waste extraction  
15 test for water closets (Section 7.9) of the American  
16 Society of Mechanical Engineers (ASME) A112.19.2/CSA  
17 B45.1-2018. The minimum standards for urinals and water  
18 closets are as follows:

19 (A) Wall-mounted urinals, except for trough-type  
20 urinals, shall, at a minimum, have a maximum flush  
21 volume of 0.5 gallons per flush.

22 (B) Floor-mounted urinals, except for trough-type  
23 urinals, shall, at a minimum, have a maximum flush  
24 volume of 0.5 gallons per flush.

25 (C) Water closets shall, at a minimum, have a  
26 maximum flush volume of 1.28 gallons per flush.

1           (12) Water coolers included in the scope of the ENERGY  
2           STAR Program Requirements Product Specification for Water  
3           Coolers, Version 2.0, shall, at a minimum, have "On Mode  
4           with No Water Draw" energy consumption less than or equal  
5           to the following values as measured in accordance with the  
6           test requirements of that program:

7                   (A) 0.16 kilowatt hours per day for cold-only  
8                   units and cook-and-cold units;

9                   (B) 0.87 kilowatt hours per day for storage-type,  
10                  hot-and-cold units; and

11                  (C) 0.18 kilowatt hours per day for on-demand,  
12                  hot-and-cold units.

13           (e) The Agency may adopt rules to establish more stringent  
14           efficiency standards for covered products, including any other  
15           products as may be designated by the Director. In considering  
16           such new or amended standards, the Director shall set  
17           efficiency standards upon a determination that more stringent  
18           efficiency standards would serve to promote energy or water  
19           conservation in the State and would be cost effective for  
20           consumers who purchase and use such new products. However, no  
21           new or more stringent efficiency standards shall become  
22           effective within one year following the adoption of any  
23           amended rules establishing such more stringent efficiency  
24           standards.

25           (f) The Agency may adopt rules to establish a waiver  
26           process to grant full or partial waivers to minimum efficiency

1 standards, flexible demand appliance standards, or test  
2 procedures established under this Section. Manufacturers,  
3 retailers, distributors, or installers of covered products and  
4 potentially covered products may petition the Agency for a  
5 waiver. The Agency must make details publicly available of any  
6 such petition and final ruling. The Agency may grant a waiver  
7 only if doing so will support the objectives of this Act and  
8 will not result in a significant erosion of consumer or  
9 environmental benefits from this Act.

10 (g) If any of the energy or water conservation standards  
11 issued or approved for publication by the Office of the United  
12 States Secretary of Energy as of January 19, 2025, pursuant to  
13 the Energy Policy and Conservation Act (Parts 430-431 of Title  
14 10 of the Code of Federal Regulations), are withdrawn,  
15 repealed, or otherwise voided, the minimum energy or water  
16 efficiency level permitted for products previously subject to  
17 federal energy or water conservation standards in this State  
18 shall be the applicable federal standards as of January 19,  
19 2025, and no such new product may be sold or offered for sale,  
20 lease or rent in this State unless it meets or exceeds such  
21 standards. This Section shall not apply to any federal energy  
22 or water conservation standard set aside by a court upon the  
23 petition of a person who will be adversely affected, as  
24 provided in Section 6306(b) of Title 42 of the United States  
25 Code.

1       Section 20. Implementation.

2       (a) Beginning 180 days after the date upon which the  
3 standards are adopted by the Agency under Section 15, no new  
4 covered product may be sold or offered for sale, lease, or rent  
5 in the State unless the new product meets the requirements of  
6 the standards adopted by the Agency under Section 15.

7       (b) Beginning one year after the date upon which the sale  
8 or offering for sale of covered products becomes subject to  
9 subsection (a) of this Section, no such products may be  
10 installed for compensation in the State unless the efficiency  
11 of the new product meets or exceeds the efficiency standards  
12 provided under the rules adopted under Section 15.

13       Section 25. Testing, certification, labeling, and  
14 enforcement.

15       (a) The manufacturers of covered products shall test  
16 samples of their products in accordance with the test  
17 procedures under this Act. The Agency may adopt rules  
18 regarding updated test methods when new versions of test  
19 procedures become available.

20       (b) Manufacturers of covered products shall certify to the  
21 Agency, or to an approved third party as determined by the  
22 Director, that such products are in compliance with the  
23 provisions of this Act. Such certifications shall be based on  
24 test results. The Agency shall adopt rules governing the  
25 certification of such products and shall coordinate with the



1 certification programs of other states and federal agencies  
2 with similar standards.

3 (c) Manufacturers of new covered products shall identify  
4 each product offered for sale or installation in the State as  
5 in compliance with the provisions of this Act by means of a  
6 mark, label, or tag on the product and packaging at the time of  
7 sale or installation or other similar means as determined by  
8 the Agency. The Agency shall adopt rules governing the  
9 identification of such products and packaging, which shall be  
10 coordinated to the greatest practical extent with the labeling  
11 programs of other states and federal agencies with equivalent  
12 efficiency standards. The Agency shall allow the use of  
13 existing marks, labels, or tags, which connote compliance with  
14 the efficiency requirements of this Act.

15 (d) The Agency shall support compliance with the  
16 provisions of this Act through outreach and education to  
17 manufacturers and affected parties who sell or install covered  
18 products, such as distributors, retailers and contractors. The  
19 Agency may support these compliance activities directly or  
20 through collaboration with investor-owned utilities or other  
21 interested parties such as trade associations or technical or  
22 trade schools.

23 (e) Nothing in this Section shall be interpreted to limit  
24 the ability of a utility to offer energy efficient rebates or  
25 to claim energy savings resulting from such programs, through  
26 its energy efficiency plans approved by the Illinois Commerce

1 Commission under Section 8-103B of the Public Utilities Act.

2 (f) The Agency may test covered products. If products so  
3 tested are found not to be in compliance with the minimum  
4 efficiency standards adopted under Section 15, the Agency  
5 shall:

6 (1) charge the manufacturer of such product for the  
7 cost of product purchase and testing; and

8 (2) make information available to the Attorney General  
9 and the public on products found not to be in compliance  
10 with the standards.

11 (g) The Agency may cause periodic inspections to be made  
12 of distributors or retailers of new covered products in order  
13 to determine compliance with the provisions of this Act. The  
14 Agency shall investigate complaints received concerning  
15 violations of this Act.

16 (h) If the Agency finds that any person has committed a  
17 violation of any provision of this Act, the Agency shall issue  
18 a warning to such person. Any person who commits a violation  
19 after the issuance of such warning shall, following notice and  
20 an opportunity to be heard, be subject to a civil penalty  
21 issued by the Agency of up to \$100 for each violation. Any  
22 further violations committed by such person after this second  
23 violation shall be subject to a civil penalty issued by the  
24 Agency of not more than \$500 for each violation. Each product  
25 offered, sold, or distributed in violation of this Act shall  
26 constitute a separate violation, and each day that a violation

1 occurs shall constitute a separate violation. Penalties  
2 assessed under this subsection are in addition to costs  
3 assessed under subsection (f) of this Section. The Agency  
4 shall adopt rules that establish procedures under this  
5 subsection comporting with due process and that provide for  
6 the review of final decisions under the Administrative Review  
7 Law.

8 (i) If the Agency finds repeated violations have occurred,  
9 it shall refer the matter to the Attorney General. The  
10 Attorney General may institute proceedings to seek an  
11 injunction in circuit court to enforce the provisions of this  
12 Act, in addition to any other remedies under this Act or in law  
13 or equity.

14 (j) The Agency may adopt any rules necessary to ensure the  
15 proper implementation, administration, and enforcement of the  
16 provisions of this Act.

17 Section 97. Severability. The provisions of this Act are  
18 severable under Section 1.31 of the Statute on Statutes.